

111TH CONGRESS
1ST SESSION

S. 207

To amend the Internal Revenue Code of 1986 to allow a deduction for health insurance premiums.

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 2009

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to allow a deduction for health insurance premiums.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Health Insurance Tax
5 Relief Act”.

6 **SEC. 2. DEDUCTIBILITY OF HEALTH INSURANCE PRE-**
7 **MIUMS.**

8 (a) ALLOWANCE OF DEDUCTION.—

9 (1) IN GENERAL.—Subsection (a) of section
10 213 of the Internal Revenue Code of 1986 (relating

1 to medical, dental, etc., expenses) is amended to
 2 read as follows:

3 “(a) ALLOWANCE OF DEDUCTION.—There shall be
 4 allowed as a deduction the following amounts not com-
 5 pensated for by insurance or otherwise—

6 “(1) the amount by which the amount of ex-
 7 penses paid during the taxable year (reduced by the
 8 amount deductible under paragraph (2)) for medical
 9 care of the taxpayer, the taxpayer’s spouse, and the
 10 taxpayer’s dependents (as defined in section 152, de-
 11 termined without regard to subsections (b)(1),
 12 (b)(2), and (d)(1)(B) thereof) exceeds 7.5 percent of
 13 adjusted gross income, plus

14 “(2) so much of the expenses paid during the
 15 taxable year for insurance which constitutes medical
 16 care under subsection (d)(1)(D) (other than for a
 17 qualified long-term care insurance contract) for such
 18 taxpayer, spouse, and dependents as does not exceed
 19 \$2,000 (\$4,000 in the case of a joint return).”.

20 (2) LIMITATION BASED ON ADJUSTED GROSS
 21 INCOME.—Section 213 of the Internal Revenue Code
 22 of 1986 is amended by adding at the end the fol-
 23 lowing new subsection:

24 “(f) LIMITATION WITH RESPECT TO CERTAIN MED-
 25 ICAL INSURANCE PREMIUMS.—The amount of the deduc-

1 tion allowed by subsection (a)(2) (determined without re-
 2 gard to this subsection) shall be reduced (but not below
 3 zero) by 5 percent of so much of the taxpayer's adjusted
 4 gross income as exceeds \$75,000 (\$150,000 in the case
 5 of a joint return).”.

6 (b) DEDUCTION ALLOWED WHETHER OR NOT TAX-
 7 PAYER ITEMIZES DEDUCTION.—Section 62(a) of the In-
 8 ternal Revenue Code of 1986 (defining adjusted gross in-
 9 come) is amended by inserting after paragraph (21) the
 10 following new paragraph:

11 “(22) HEALTH INSURANCE PREMIUMS.—The
 12 deduction allowed by section 213(a)(2).”.

13 (c) EFFECTIVE DATE.—The amendments made by
 14 this section shall apply to taxable years beginning after
 15 December 31, 2008.

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